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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Friday - 20 January 1978

for

1. [] INTELLIGENCE BRIEFING Attended as an observer a briefing of the Program and Budget Authorization Subcommittee of the House Permanent Select Committee on Intelligence, on CIA missions and functions. Witnesses for the Agency were John McMahon, DDO; Jim Taylor, Comptroller; and Paul Walsh, AD-M/NFAC. [] Deputy Legislative Counsel, also attended. (See Memorandum for the Record.)

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2. [] LEGISLATION Called Bob Carlstrom, OMB, about several letters we have pending at OMB. With regard to our response to Representative Samuel Devine (R., Ohio) concerning possible changes in the Freedom of Information Act, Mr. Carlstrom said that they were troubled with several of our proposals. Specifically, they questioned whether our proposal to limit access to U.S. residents and resident aliens was necessary (i.e., are requests from foreigners really a problem?). Second, OMB could not clear our proposal for additional days to respond to requests based upon the amount of pages which had to be reviewed. Third, they still oppose charging requests for time spent in reviewing documents. Fourth, OMB feels that it is not possible to make a meaningful regulation against blanket requests because you could not clearly determine what is a specific request as opposed to what is a blanket request. He suggested language which would limit requests to "specific subjects of manageable proportions."

In addition Mr. Carlstrom said he would clear our views letter on S. 1720 and S. 1721, bills to amend the Administrative Procedure Act, early next week.

3. [] LIAISON Spoke with Carolyn Fuller, on the staff of Senator Walter Huddleston (D., Ky.), who asked that we postpone her briefing scheduled for today. We did not set up a new time for her briefing. NFAC/CSS was notified.

4. [] LEGISLATION Called Bob Carlstrom, OMB, and asked if we could have an extension on our response to OMB's request for comments on the Department of Justice views letter on S. 1845, the polygraph bill. He granted an extension until Monday, 23 January.

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Monday - 23 January 1978

25X1 1. [] LIAISON Received a call from Ed Stevenson, GAO, who requested the names and dates of office of the Directors of CIA for the last five years. I provided the information to him.

25X1 2. [] LIAISON Received a call from Chris Aldridge, in the office of Senator Birch Bayh (D., Ind.), who requested an updated version of the reference aid "Chiefs of State and Cabinet Members of Foreign Governments." I told him I would forward a copy to him.

25X1 3. [] FOIA/PA Received a call from someone in the office of Representative David Emery (R., Maine), who wanted to know how a constituent could go about writing to the Agency to request information under the Privacy Act. I told her to have the constituent write directly to
25X1 [] Information and Privacy Coordinator, and provided the address.

25X1 4. [] CONSTITUENT Received a call from Nita Wilson, in the office of Representative John H. Krebs (D., Calif.), who had a constituent request for the address or telephone number of former Director William Colby. After checking with the Director's office, I gave Mr. Colby's business address to her.

25X1 5. [] HEARING Sent via courier to Mike O'Neil, Counsel, House Permanent Select Committee on Intelligence, 100 copies of the Director's statement for the hearing on the open budget on 24 January 1978.

25X1 6. [] LIAISON At George Cary's instruction, called [] General Counsel's Office, NSA, and told him that it was our information that the House International Relations Subcommittee on International Organizations would be meeting today to determine what action, if any, to take in response to our turn-down on producing additional documents requested by the Subcommittee. I told him that it was possible that the Subcommittee would vote to subpoena the documents requested. [] thanked me for the alert. 25X1

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25X1 17. [] LIAISON Elsie Vance, personal secretary to Senator Gary Hart (D., Colo.), called to say Senator Hart would like to meet with Jim Lilley, NFAC/NIO, on 27 January at 8:30 a.m. for a debriefing on his recent trip to China. Lilley and other NFAC personnel had briefed Hart for approximately three hours prior to his departure and, at Senator Hart's request, Lilley had informed the Senator of areas of interest regarding China. Senator Hart had agreed to learn what he could on these subjects.

25X1 18. [] BRIEFING Accompanied the Director, [] Acting Deputy to DCI/IC, Tony Lapham, General Counsel, and Bernie McMahon, Executive Assistant to the DCI, to an open session hearing of the House Permanent Select Committee on Intelligence on the open budget issue. (See Memorandum for the Record.)

25X1 19. [] LIAISON Met with Mike O'Neil, House Permanent Select Committee on Intelligence staff, and discussed Committee policy regarding providing the Agency a copy of transcripts of Agency testimony before the Committee. O'Neil said that language which hopefully would protect these transcripts from the FOIA was now being routinely placed on the transcripts, however, the court case which would ultimately decide this question would not be decided for at least a year and in the interim, the Committee does not want to provide the Agency copies of the document.

25X1 20. [] LIAISON Met with Dick Giza, House Permanent Select Committee on Intelligence staff, and discussed the planned trip of Representative Charles Rose (D., N., Car.) and himself to [] 26 January. Apparently no other Members of the Committee have yet indicated they will go.

25X1 21. [] LIAISON Discussed with Stan Taylor, Senate Select Committee on Intelligence staff, the nomination hearings for DDCI-designee, Frank Carlucci. Everything seems to be in order. Taylor did ask that copies of Carlucci's prepared statement be delivered as soon as possible.

25X1 22. [] LIAISON Met with Dan Childs, Senate Select Committee on Intelligence staff, regarding the upcoming Committee budget hearings. The Director is scheduled for 21 February from 10:00 a.m. to 1:00 p.m. for an NFIP overview. Among other planned hearings is the CIA session on 28 February from 10:00 a.m. to 1:00 p.m. and the separate session on covert action from 2:00 to 5:00 p.m.

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17. [] FOIA Called Charles Kirbow, of the Senate Select Committee on Intelligence staff, regarding the release of his name in a CIA document which is under consideration for release under an FOIA request of Georgetown University weekly, "The Hoya!" At his request, I read the document verbatim to Mr. Kirbow and he agreed to the release of his name.

18. [] FOIA Called Carolyn Bacon, Administrative Assistant to Senator John Tower (R., Texas), regarding the release of Senator Tower's name in a CIA document dated 8 December 1975 which is under consideration for release under an FOIA request of Georgetown University weekly, "The Hoya." Ms. Bacon requested we drop off a copy of the document to their office so she could review it before making a decision on releasing Senator Tower's name. The letter is being prepared.

19. [] LEGISLATION In the company of [] OGC, and [] OLC, met with Elliot Maxwell and Pat Norton, on the staff of the Senate Select Committee on Intelligence, and Bernie Raimo, on the staff of the House Permanent Select Committee on Intelligence, to discuss our concerns with the latest SSCI draft Title I of the charter legislation which we had raised in earlier discussions but which were not reflected in this latest draft. We received from Mr. Norton a copy of the latest SSCI draft of Title IV of the charter legislation (the CIA charter).

20. [] LEGISLATION Met with John Elliff and Pat Norton, on the staff of the Senate Select Committee on Intelligence, to discuss the latest SSCI draft Title II of the charter legislation. Present from the House Permanent Select Committee on Intelligence staff were Mike O'Neil, Bill Funk and Bernie Raimo. Present from the Agency were [] OGC, and [] OLC. We discussed in great detail most of the provisions in Title II and registered our strong concern that the title as presently drafted was overly complex, detailed and restrictive, and that it would pose major problems in terms of its workability.

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6. [] ADMINISTRATIVE DELIVERIES

Delivered to the office of the House International Relations Committee, House Appropriations Committee, House Permanent Select Committee on Intelligence, Senate Foreign Relations Committee and Senate Appropriations Committee, copies of a biography of DDCI-designee, Frank Carlucci, and copies of his statement to be presented to the Senate Select Committee on Intelligence today during his confirmation hearings.

7. [] ADMINISTRATIVE DELIVERIES

Delivered to Carol Wiiks, House Permanent Select Committee on Intelligence staff, legal opinions regarding the open budget issue.

8. [] LIAISON In the absence of Thomas K.

Latimer, Staff Director, House Permanent Select Committee on Intelligence, Mike O'Neil, Patrick Long and other various other senior Committee staff members, I gave to Sharon Leary, of the Committee staff, a copy of the document released erroneously recently under FOIA dealing with the nuclear capabilities of several nations. I explained what happened in this case and Leary agreed to bring this to the attention of Latimer.

9. [] LIAISON Met with Dick Giza, House

Permanent Select Committee on Intelligence staff, who said his trip last evening with Representative Charles Rose (D., N. Car. []) had been quite successful. He said that Representative Rose was interested in determining identities of non-military targets for the collection system. I agreed to try to get a list for him.

Giza said he would meet with [] 1 February at 2:00 p.m. regarding DDA data processing. He would then like to see Ed Hineman, D/OWI, to follow up on his meeting regarding OWI's use of telemetry, immediately after the meeting with [] I said I would try to set this up.

10. [] LIAISON Received from Carol Wiiks,

House Permanent Select Committee on Intelligence staff, the transcript of Intelligence Community testimony before the Subcommittee on Legislation, on 18 January on S. 1566 and other electronic surveillance bills.

11. [] LIAISON Met with Loch Johnson, House

Permanent Select Committee on Intelligence staff, regarding his meeting with [] SA/DO/O, yesterday on Agency media programs. Johnson felt the meeting had gone quite well and he had learned a great deal from the session. Johnson elaborated on the follow up items.

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22. [] LIAISON Called [] DIA, to give him a rundown on what had been done regarding Chairman William Proxmire's (D., Wis.), Senate Banking, Housing and Urban Affairs Committee, inquiry with respect to G. William Miller's nomination to be Chairman of the Federal Reserve System and conveyed to him that we had passed to Ron Tammen, Senator Proxmire's Legislative Assistant, a piece of information found in a 14 March 1970 DIA report.

23. [] FOIA Tom Latimer, Staff Director, House Permanent Select Committee on Intelligence, called regarding the inadvertent release through FOIA of the nuclear proliferation report and asked a number of questions to clarify just what had happened. He also asked that we provide a damage assessment to him when it has been prepared.

24. [] BRIEFING I met with Representative Robert K. Dornan (R., Calif.) at Headquarters, accompanied by [] ORPA/ NFAC, and Don Gregg, SA/DO/O. We listened to the information which the Congressman had to provide as a result of his recent trip to Uganda. He said that during his trip he had met with refugees who had asked him if there was any way the U.S. Government would financially support their activities, which would include the overthrow of Idi Amin. We told him that essentially what he was asking for was a covert action program and we said that current U.S. policy was not to aid Ugandan refugees, but that in any event, CIA would not take any action on its own unless directed to do so by President Carter. He thanked us for our time and explained that he felt this was the position we would have to take.

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7. [] BRIEFING Dorothy Fosdick, Permanent Investigations Subcommittee of Senate Governmental Affairs Committee staff, called and said they would like [] OER, to come up at 3:00 or 3:15 p.m. today to brief Professor Dwight Perkins, a consultant to the Committee, on trade with China. She said this was in preparation for Senator Henry M. Jackson's (D., Wash.) trip to China next week. She said she would sit in on the briefing. I told her I would pass this on to [] Chief Liaison Staff, and he would be in touch with her. She said if we had any problems with this, we should be in touch with Mike Oksenberg, NSC staff.

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8. [] FBIS In response to his request, called FBIS and asked that Rick Horowitz, office of Representative John Brademas (D., Ind.), be put on distribution for the Western Europe Daily Report. This is to be sent to 1236 Longworth House Office Building.

9. [] LIAISON Mike O'Neil, Chief Counsel, House Permanent Select Committee on Intelligence, called requesting copies of documents relating to the Legislative History of the 1947 National Security Act and the 1949 Central Intelligence Agency Act which will be provided. He also asked for a status report on the case of Helms v. Halkins.

10. [] LIAISON Cliff Fowler, GAO, called to obtain a copy of the SNIE mistakenly released under FOIA. By the time I had returned his call, he had obtained the document from another source.

11. [] BRIEFING Talked to Grenville Garside, Staff Director and Special Counsel, Senate Energy and Natural Resources Committee, and said we were making arrangements for a briefing of himself and Daniel Dreyfus, also of the Committee staff, on the People's Republic of China's energy picture in preparation for their travel to China with Chairman Henry M. Jackson (D., Wash.)

12. [] LIAISON Peter Stockton, House Interstate and Foreign Commerce Subcommittee on Energy & Power staff, called to be assured on the progress that can be expected in the meeting with Mr. Ted Shackley, A/DDO, Wednesday morning, 1 February 1978, in follow-up to the arrangements discussed in the session Friday between the Director and Chairman John D. Dingell (D., Mich.). He identified two documents of particular interest. I told Stockton that I was sure we would be able to make progress and advised Mr. Shackley.

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